

MINUTES OF THE MEETING  
STATE ADMINISTRATION COMMITTEE  
MONTANA STATE SENATE

March 17, 1979

The forty-fifth meeting of the State Administration Committee was called to order by Chairman Pete Story on the above date in Room 442 of the State Capitol at 10:00 A.M.

ROLL CALL: All members of the Committee were present, with the exception of Sen. Pat Ryan who was excused.

Chairman Story announced this was an executive session for action on House Bills previously heard by the Committee.

DISPOSITION OF HOUSE JOINT RESOLUTION No. 19: Sen. Roskie advised he was not able to talk to Rep. Teague, sponsor of the Resolution, regarding the amendments he had proposed. The main concern was to assure that no money came out of the general fund to do this study.

Sen. Jergeson suggested amending the bill on line 10, page 2, to provide that the DCA would use its present staff and not hire any additional people for this. Short discussion followed, after which Sen. Jergeson moved that House Joint Resolution No. 19 be amended on page 2, line 10, to strike "personnel" and insert "current". Motion was adopted by unanimous vote of the Committee members present with Sen. Ryan being excused.

Motion was made that HJR No. 19, AS AMENDED, BE CONCURRED IN, by Sen. Jergeson, which passed by majority vote, with Sen. Ryan voting "no" as he had left this vote with the secretary. Amendments are as appears on copy of Standing Committee Report which is attached hereto.

After discussion, Sen. Pat Regan was appointed to carry the Bill on the floor.

DISPOSITION OF HOUSE JOINT RESOLUTION No. 3: After a short discussion, Sen. Bob Brown moved that HJR No. 3, BE NOT CONCURRED IN.

Thereupon, Sen. Rasmussen made a substitute motion that HJR 3 BE CONCURRED IN.

Sen. Jergeson stated that if Montana was going to be the 30th state on this issue, they must be careful in their decision.

Sen. Rasmussen thought the bill had an adequate safeguard since its introduction with the provision to stop a "run away" convention. These people would have to swear they would not go beyond this particular subject and also that the Court could demand this.

Sen. Jergeson answered that there might be considerable differing interpretations of what was straying from the intent.

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Sen. Roskie commented that what was wrong with state and federal government was the earmarked revenues.

Upon roll call vote on the substitute motion of Sen. Rasmussen, the motion passed by a majority vote, with Senators Brown, Ryan and Jergeson voting "no". Sen. Rasmussen will carry the report of the Resolution on the floor.

Chairman Story announced that the Committee Report on this Resolution will not be reported out of the Committee until next Tuesday and then set for debate on the floor on Thursday as the national news media was interested in filming the deliberations on this issue.

FURTHER CONSIDERATION OF HOUSE BILL No. 847: Sen. Story explained the purpose of the Bill according to the testimony of Rep. Fabrega as to the change in the appointment procedure of legislative committees.

Sen. Jergeson advised that the Rules Committee heard the similar bill of Rep. Fagg's yesterday and suggested this Committee wait until that bill was acted on before deciding the final fate of this one.

Chairman Story announced that HB 847 will be held in Committee for the time being.

DISPOSITION OF HOUSE BILL No. 436: Sen. Hafferman stated he had a copy of the amendments proposed by J.D. Holmes pertaining to deletion of subscription magazines for consideration.

Sen. Story commented he liked the Bill just the way it was as it finally reflects what the cost of state agencies' propaganda is. Statement wouldn't need to be put on the front; it could be put on the back cover.

Sen. Jergeson felt the rules to be determined by the Department of Administration would be a waste, and perhaps the Audit Committee would be a better agency for this. He didn't think a warehouse to put all this stuff in was a realistic idea.

Sen. Rasmussen commented that Section 6 on page 3 was very lengthy and questioned if all the requested information was necessary.

Sen. Story felt it was a real lobbyist bill as the real significant amount of money spent in this state is in these publications of state agencies. If the taxpayer were made aware of the cost, he thought some of it would stop.

Sen. Rasmussen questioned the provisions on page 2, line 24, that a copy be sent to the Department of Administration along with a statement of need, to which Sen. Story responded that some state agencies will not be able to justify what they want to print when faced with making a statement of need.

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Sen. Brown moved that House Bill No. 436 be amended on page 2, line 1, to insert "except those regular periodical publications sold to the general public solely through subscription and newsstand sale". Motion carried by majority vote, with Sen. Story voting "no" and Sen. Ryan being excused.

Sen. Jergeson suggested deleting Section 4, at which point Sen. Hafferman stated he did not want the bill amended to death, that the exemption for two publications was enough.

Sen. Jergeson moved that House Bill No. 436 be amended to delete Section 4 entirely; motion carried by majority vote, with Senators Story and Hafferman voting "no" and Sen. Ryan being excused.

Sen. Rasmussen thought all this material was <sup>not</sup> needed, and moved the Bill be amended to strike lines 17 through the words "so state" on line 20, page 3. Motion carried by majority vote, with Senators Story and Hafferman voting "no" and Sen. Ryan being excused.

Sen. Brown then moved that House Bill No. 436 AS AMENDED, BE CONCURRED IN; motion carried by unanimous vote. Sen. Story volunteered to carry the Bill on the floor. Standing Committee Report is attached hereto for full review of all amendments.

RECONSIDERATION OF HOUSE BILL No. 456: The Chairman explained it had been put back in the Committee for further consideration.

Sen. Roskie explained the additional amendments proposed relative to the salary for the campaign finance commissioner.

Sen. Jergeson suggested he be plugged into the state pay plan, and discussion resulted on why the salary review board did not consider a raise in his salary.

Sen. Roskie explained he served on this committee and that Mr. Hanson worked up a new form system which should be better and had talked with him regarding who should set his salary. It has been \$21,000 since 1975. As the state has not really qualified his job, it is left for us to do.

Sen. Story expressed his dislike of the law the campaign commissioner is operating under, although John Hanson has been fair and has done a good job, however, he did not feel the job warranted more pay.

Sen. Roskie moved that the Bill be amended on page 2, lines 4 through 7, pertaining to the adoption of the increase in salary, but without insertion of the dollar amount; discussion was then held on the salary figure.

Sen. Story brought up the list of what other state government people were paid which was also discussed at some length.

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Sen. Rasmussen moved that the Commissioner's salary be increased to \$22,000 for the reason that he thought the original salary was too high, but this does give him a raise. Motion carried by majority vote, with Senators Story and Ryan voting "no", Sen. Ryan having left his vote with the Secretary.

Sen. Roskie moved that House Bill No. 456 AS AMENDED, BE CONCURRED IN; motion passed by majority vote, with Senators Story and Ryan voting "no", Sen. Ryan having left his vote with the Secretary. Amendments are as appears on the attached copy of the Standing Committee Report, to which reference is hereby made for further particulars.

Sen. Roskie will sponsor this Bill on the floor.

DISPOSITION OF HOUSE BILL No. 481: This pertains to the exemption requested by the Board of Oil & Gas.

Sen. Jergeson agreed there was a problem but wanted to work something out under the state pay plan.

Don Allen, representing the Montana Petroleum Association, stated Sen. Melcher had interceded in trying to get this problem on having to do the natural gas classification, but could not change it.

In answer to Sen. Story's question of what would happen if the job was not done, Mr. Allen stated they would be subject to severe penalties, including prison terms. Continuing his questioning, Sen. Story asked if the geologists could be sent to prison if they did not classify a well properly, to which Mr. Allen responded that indirectly, he could. They have to rely on the geologist's determination and when the reports are prepared, the person signing the report is on the line.

Sen. Rasmussen thought they should have gone through the appeals process that they could have presented a strong case even if they were discouraged.

Mr. Allen responded that they had been discouraged from doing this, but even if they had, the state couldn't have come close to the increase necessary to get in line with the amount required.

Sen. Hafferman commented that from what the state people had said it was almost a form of black market, using the legislature as a reason for not raising salaries.

Sen. Roskie felt the basic problem with the state pay plan is that it did not recognize the job market. Referring to Mr. Iverson's testimony, he recalled the board has received the resignations of these people and thought they did have a problem.

Mr. Allen responded to Sen. Story's inquiry that he did not think Congress would tamper with the national energy bill, even if it was a compromise, it is a 5-part act which took over a year to put together, and that it provided only for partial deregulation by 1985.

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Sen. Roskie said he thought the redeeming factor of this Bill was that the industry would be paying for the salary increases, not the general fund, and yet the state will receive some benefit in gas taxes.

Sen. Roskie then moved that House Bill No. 481 BE CONCURRED IN; motion carried by majority vote, with Senators Rasmussen, Ryan and Jergeson voting "no", Sen. Ryan having left his vote with the Secretary. Sen. Roskie will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 124: The weatherization project funds as proposed by this Bill were discussed.

Sen. Story commented it would probably work to get some of the money out of the larger populated areas and into the small, rural communities that could really use it.

After short discussion, Sen. Jergeson moved that House Bill No. 124 AS AMENDED, BE CONCURRED IN; motion passed by majority vote, with Sen. Ryan having left his vote with the Secretary being recorded as "no". Sen. Jergeson will carry the Bill on the floor. Amendments are as appears on the attached copy of the Standing Committee Report to which reference is hereby made for further particulars.

The Chairman announced that sometime next week the Committee would take up consideration of the additional appointments referred by the Governor.

The Committee discussed the bills remaining in the Committee, with the comment that some of them could "rest in peace".

ADJOURNMENT:

There being no further business to bring before the meeting, the Chairman adjourned the meeting at the hour of 11:20 A.M.

  
Pete Story, Chairman

Date March 19 1979

ROLL CALL.

STATE ADMINISTRATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

DATE March 17, 1978

COMMITTEE ON

COMMITTEE ON State Administration  
Executive Session

VISITORS' REGISTER

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 3-17-79 Hwy Bill No. 16 Time

Bill No.

Time

Jennie L. Palmer  
Secretary

Pete Story

Chairman

Motion: Sen. Jergeson moved that House Joint Resolution No. 19 be amended on page 2, line 10 to insert "current" between "its" & "staff" and to strike "personnel"; motion carried by unanimous vote of those present, Sen. Ryan being excused. Sen. Jergeson then moved that HJR AS AMENDED, BE CONCURRED IN; motion carried by majority vote, with Sen. Ryan voting "no". Sen. Pat Regan is to carry the Resolution on the floor.

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

March 17, 1972

MR. President

We, your committee on State Administration

having had under consideration House Joint Resolution Bill No. 19

Teague (Regan)

Respectfully report as follows: That House Joint Resolution Bill No. 19

Third Reading Bill, be amended as follows:

1. Title, line 8

Following: "ITS"

Insert: "CURRENT"

Following "STAFF"

Strike: "PERSONNEL"

2. Page 2, line 10

Following: "its"

Insert: "current"

Following: "staff"

Strike: "personnel"

DECEASES And, as so amended, BE CONCURRED IN

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 3-17-74 Name Bill No. 081 Time

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Jennie L. Palmer  
Secretary

Pete Story

Motion: Senator George Roskie moved that House Bill No. 481  
BE CONCURRED IN; motion carried by majority vote, with  
Senators Rasmussen, Ryan and Jergeson voting "no".  
Sen. Roskie will carry the Bill on the floor.

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

.....March 17.....1979.....

MR. ....President.....

We, your committee on .....State Administration.....

having had under consideration .....House..... Bill No. 431.....

Nathie (Roskie)

Respectfully report as follows: That.....House..... Bill No. 431.....

Third Reading Bill,

ADD/FASEK

BE CONCURRED IN

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date March 17, 1942 Room No. 104 Bill No. 1176 Time

Jennie L. Palmer  
Secretary

Pete Story  
Chairman

Motion: Senator Roskie moved that House Bill No. 456 AS

AMENDED, BE CONCURRED IN: motion carried by majority

vote, with Senators Story and Ryan voting "no".

Sen. Roskie will carry the Bill on the floor.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date March 17-39 House Bill No. 456 Time

Chitwood, John  
1811, \$22.00.

NAME	YES	NO
Senator Pete Story, Chairman		✓
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan		✓
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer  
Secretary

Pete Story

Motion: Sen. Tom Rasmussen moved that House Bill No. 456  
be amended to increase the campaign commissioner's  
salary to \$22,000.00 from its present \$21,000.00. Motion  
carried by majority vote, with Senators Story and Ryan  
voting "no".

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

March 17 1972

MR. President

We, your committee on State Administration

having had under consideration House Bill No. 456

Dudaily (Rcskie)

Respectfully report as follows: That House Bill No. 456,

Third Reading Bill, be amended as follows:

1. Page 2, lines 4 through 7

Strike: lines 4 through 7 in their entirety

Renumber: subsequent subsection

2. Page 2

Following: line 25

Insert: "NEW SECTION. Section 3. Salary. (1) The commissioner of campaign finances and practices is entitled to receive an annual salary of \$22,000.

(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature." Renumber: subsequent sections

X000436 And, as so amended, BE CONCURRED IN

Amend House Bill No. 456, Third reading, as follows:

1. Page 2, lines 4 through 7

Strike: lines 4 through 7 in their entirety.

Renumber: subsequent subsection

2. Page 2

Following: line 25

Insert: "NEW SECTION. Section 3. Salary. (1) The commissioner of campaign finances and practices is entitled to receive an annual salary of \$ .  
(2) The salary commission must review the commissioner's salary and may recommend salary increases to the legislature."

Renumber: subsequent sections.

## Possible ways to calculate salary increase

### I. Single inflationary increase

A. \$ 21,000

$$\begin{array}{r} \times 5\% \text{ (Leg. Fiscal Analyst estimated annual inflationary increase)} \\ \hline \$ 22,050 \end{array}$$

B. \$ 21,000

$$\begin{array}{r} \times 6.25\% \text{ (Exec. estimated annual inflationary increase)} \\ \hline \$ 22,313 \end{array}$$

C. \$ 21,000

$$\begin{array}{r} \times 7\% \text{ (Federal estimated annual inflationary increase)} \\ \hline \$ 22,470 \end{array}$$

### II. Salary increase if position was on state pay plan.\*

In July of 1975 the salary of \$21,000 would convert on the salary matrix to a Grade 18, step 4, position.

In July of 1978 that same position would be a Grade 18, step 7 (with 3 yrs. service), which would convert to an annual salary of \$24,383

With proposed increases for next biennium of 3% + \$30; Grade 18, step 8 (with 4 years of service), salary for July 1, 1979, would be \$25,144.

\* figures from Personnel Division.

General Info: comparative positions in other areas of St. Govt. FY 79

\$ 21,600 - \$ 26,000 (Grade 18, step 1-13)

Administrator, Gross Vehicle Weights Div.

Administrator, Recreation & Park

Administrator, Crime Control

Administrator, Mt. Artr Council

Deputy Sec. of State

State Librarian

Administrator, Human Rights Div.

\$ 23,600 - \$ 28,000 Grade 19, steps 1-

Administrator, Brands Enforcement

Administrator, Livestock Inspection

Administrator, Personnel Div.

Administrator, Liquor Div.

Administrator, Data Processing - Dept. A

Others

ROLL CALL VOTE RECORD

SENATE COMMITTEE ON STATE ADMINISTRATION

Date March 17, 72 House Bill No. 115 Time

Mr. Edward G.  
Tammel

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer  
Secretary

Pete Story  
Chairman

Motion: Sen. Bob Brown moved that House Bill No. 436 AS  
AMENDED, BE CONCURRED IN; motion carried by unanimous  
vote. Sen. Story will carry the Bill on the floor

Committee of the Whole Amendment was signed by Sen. Story to correct a misprint on page 2, Line 6, changing "executive" to "Legislative (include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 3-17-79 11 Bill No. 1425 Time   
~~Pass and file this bill  
2-20-1979~~

Jennie L. Palmer  
Secretary

Pete Story

Motion: Sen. Tom Rasmussen moved that House Bill No. 436 be amended to delete on Page 3, lines 17, 18, 19 and a portion of line 20; motion carried by majority vote, with Sen. Story and Hafferman voting "no". Sen. Ryan was excused.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

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SENATE COMMITTEE ON STATE ADMINISTRATION

Date 12-12-02 Bill No. 11-1 Time 10:00

Bill No

**Title**

NAME	YES	NO
Senator Pete Story, Chairman		✓
Senator George F. Roskie, V. Chairman	✓	—
Senator Bob Brown	✓	—
Senator A. T. (Tom) Rasmussen	—	—
Senator Patrick L. Ryan	✓	✓
Senator Greg Jergeson	✓	—
Senator William F. Hafferman		✓

Jennie L. Palmer  
Secretary

Pete Story

Motion: Senator Greg Jergeson moved that House Bill No. 436  
be amended to delete Section 4 entirely; motion carried  
by majority vote, with Senators Story and Hafferman voting  
"no" and Sen. Ryan being excused.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

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SENATE COMMITTEE STATE ADMINISTRATION

Date Wednesday No. 1126 Bill No. 4426 Time 10:30 A.M.  
for a small 500000  
and 1000000

Jennie L. Palmer  
Secretary

Pete Story

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Motion: Senator Bob Brown moved that House Bill No. 436 be amended to exempt subscription magazines. Motion carried by majority vote, with Sen. Story voting "no" and Sen. Ryan being excused.

(include enough information on motion--put with yellow copy of committee report.)

*HB 436  
J. D. Halmie*

HB 436

Amendment

Section 2; page 2; line 21

~~following state.~~

~~strike period, insert comm~~

"Except those regular periodical publications sold to the general public  
solely through subscription and newsstand sales."

# STANDING COMMITTEE REPORT

March 17

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President  
MR. ....

State Administration  
We, your committee on .....

having had under consideration ..... House ..... Bill No. ....  
Ramirez (Story)

Respectfully report as follows: That ..... House ..... Bill No. ....  
third reading bill, be amended as follows:

1. Page 2, line 1.  
Following: "state"  
Insert: " , except those regular periodical publications sold to the  
general public solely through subscription and newsstand sale,"
2. Page 2, lines 14 through 25.  
Strike: Section 4 in its entirety  
Renumber: subsequent sections
3. Page 3, lines 17 through 20.  
Strike: Lines 17 through 19 in their entirety and lines 20  
through "state)." "

And, as so amended,

BE CONCURRED IN

DO PASS *P.S.*

# COMMITTEE OF THE WHOLE AMENDMENT

March 17, 1970

MR. CHAIRMAN: I MOVE TO AMEND House Bill No. 436,

Third Reading Bill, as follows:

1. Page 2, line 6

Following: line 5

Strike: "executive"

Insert: "legislative"

Ja

Pete Story

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date March 12-79 House Bill No. 124 Time   
3rd reading adopted  
3-12-79  
3rd reading to be read in  
② dozen

Jennie L. Palmer  
Secretary

Pete Story  
Chairman

On 3-16-79  
Motion: / Sen. Bill Hafferman moved that House Bill No. 124 be  
amended as appears on the attached sheet; motion carried.

Sen. Greg Jergeson moved that House Bill no. 124 AS  
AMENDED, BE CONCURRED IN; motion carried by majority vote,  
with Senator Ryan voting "no". Sen. Jergeson will carry the  
Bill on the floor.

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

March 17 1979

MR. President

We, your committee on State Administration,

having had under consideration House Bill No. 124,

Oberg (Jergeson)

Respectfully report as follows: That House Bill No. 124,

Third Reading Bill, be amended as follows:

1. Title, line 7

Following: "DISTRICTS,"

Strike: "AND"

2. Title, line 9

Following: "ALLOCATED"

Insert: ", AND REQUIRING SUBMISSION OF PLANS TO LOCAL GOVERNMENTS"

3. Page 2

Following: line 17

Insert: "(4) Each of the governor's substate planning districts shall submit plans and proposed agreements to the units of local government in the district for review and comment before the agreements are approved by the department of community affairs."

~~DO PASS~~ And, as so amended, BE CONCURRED IN

### Proposed (Paperwork) Amendment

Amend HB 124

1. Title, line 7.

Following: "DISTRICTS,"

Strike: "AND"

2. Title, line 9.

Following: "ALLOCATED"

Insert: ", AND REQUIRING SUBMISSION OF PLANS TO LOCAL GOVERNMENTS"

3. Page 2.

Following: line 17

Insert: "(4) Each of the governor's substate planning districts shall submit plans and proposed agreements to the units of local government in the district for review and comment before the agreements are approved by the department of community affairs."

Ministerial 2192

ROLL CALL VOTE RECORD

Date 2-17-79 Bill No. 3 Time

Bill No. 5 Time

(math.)

HTR -

Jennie L. Palmer  
Secretary

Pete Story

Motion: Senator Tom Rasmussen made a Substitute Motion to that  
of Sen. Brown that House Joint Resolution No. 3 BE CONCURRED  
IN; motion carried by majority vote, with Senators Brown,  
Ryan and Jergeson voting "no". Sen. Rasmussen will carry  
the Bill on the floor.

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

March 17, 1979

MR. President

We, your committee on State Administration

having had under consideration House Joint Resolution Bill No. 3

Marks (Rasmussen)

Respectfully report as follows: That House Joint Resolution Bill No. 3,

Third Reading Bill,

*QQ*  
XO PASS BE CONCURRED IN